

No. PD-0679-21

In the
Court of Criminal Appeals of Texas
At Austin

FILED
COURT OF CRIMINAL APPEALS
12/14/2021
DEANA WILLIAMSON, CLERK

No. 1533080
In the 179th District Court
Of Harris County, Texas

VITAL GARCIA
Appellant
V.
THE STATE OF TEXAS
Appellee

STATE'S BRIEF FOR DISCRETIONARY REVIEW

KIM K. OGG
District Attorney
Harris County, Texas

KATHERINE THOMAS
WHITNEY RASBERRY
Assistant District Attorneys
Harris County, Texas

HEATHER A. HUDSON
Assistant District Attorney
Harris County, Texas
State Bar No. 24058991
1201 Franklin, Suite 600
Houston, Texas 77002
Tel.: (713) 274-5826
HUDSON_Heather@dao.hctx.net

Counsel for the State of Texas

IDENTIFICATION OF THE PARTIES

Pursuant to Texas Rule of Appellate Procedure 38.2(a)(1)(A), a complete list of the names of all interested parties is provided below.

COUNSEL FOR THE STATE:

Ms. Kim K. Ogg — District Attorney

Ms. Katherine Thomas

Ms. Whitney Rasberry — Assistant District Attorneys at trial

Ms. Heather A. Hudson — Assistant District Attorney on appeal

1201 Franklin, Suite 600

Houston, Texas 77002

APPELLANT:

Vital Garcia

COUNSEL FOR APPELLANT:

Mr. Ricardo N. Gonzalez — Counsel at trial

8876 Gulf Freeway, Suite 420

Houston, Texas 77017

Ms. Sharon Slopis — Counsel on appeal

P.O. Box 66710

Houston, Texas 77266

PRESIDING JUDGE:

Hon. Marc Brown

179th District Court

Harris County, Texas

TABLE OF CONTENTS

IDENTIFICATION OF THE PARTIES.....	ii
INDEX OF AUTHORITIES	iv
STATEMENT OF THE CASE.....	1
STATEMENT OF PROCEDURAL HISTORY	1
GROUND FOR REVIEW	2
The Fourteenth Court of Appeals improperly acted as a “thirteenth juror” by re-evaluating the weight and credibility of the evidence showing that the complainant’s gunshot wounds constituted serious bodily injury.	2
ARGUMENT AND AUTHORITIES	2
I. Statement of Facts.	2
II. The majority panel improperly acted as a “thirteenth juror” by re- evaluating the weight and credibility of the evidence showing the complainant suffered serious bodily injury.	4
PRAYER FOR RELIEF	14
CERTIFICATE OF COMPLIANCE.....	15
CERTIFICATE OF SERVICE.....	16

INDEX OF AUTHORITIES

CASES

<i>Blea v. State</i> , 483 S.W.3d 29 (Tex. Crim. App. 2016)	5, 13
<i>Carter v. State</i> , 678 S.W.2d 155 (Tex. App.—Beaumont 1984, no pet.)	9
<i>Curry v. State</i> , 30 S.W.3d 394 (Tex. Crim. App. 2000)	8
<i>Dobbs v. State</i> , 434 S.W.3d 166 (Tex. Crim. App. 2014)	5
<i>Eustis v. State</i> , 191 S.W.3d 879 (Tex. App.—Houston [14 th Dist.] 2006, pet. ref’d).....	5
<i>Garcia v. State</i> , 631 S.W.3d 875 (Tex. App.—Houston [14 th Dist.] 2021, pet. granted)2, 4, 6, 7, 9, 14	
<i>Hart v. State</i> , 581 S.W.2d 675 (Tex. Crim. App. 1979)	8
<i>Hooper v. State</i> , 214 S.W.3d 9 (Tex. Crim. App. 2007)	10
<i>Isassi v. State</i> , 330 S.W.3d 633 (Tex. Crim. App. 2010)	8
<i>Jackson v. Virginia</i> , 443 U.S. 307 (1979)	5
<i>Johnson v. State</i> , No. 07-02-0440-CR, 2003 WL 22332274 (Tex. App.—Amarillo Oct. 13, 2003, no pet.) (not designated for publication)	12
<i>Kerby v. State</i> , No. 14-10-00416-CR, 2011 WL 3667844 (Tex. App.—Houston [14 th Dist.] Aug. 23, 2011, pet. ref’d) (not designated for publication)	8
<i>King v. State</i> , 29 S.W.3d 556 (Tex. Crim. App. 2000)	6

<i>Losada v. State</i> , 721 S.W.2d 305 (Tex. Crim. App. 1986)	6
<i>Merritt v. State</i> , 368 S.W.3d 516 (Tex. Crim. App. 2012)	13
<i>Muniz v. State</i> , 851 S.W.2d 238 (Tex. Crim. App. 1993)	8
<i>Pruneda v. State</i> , 168 Tex. Crim. 510, 329 S.W.2d 886 (1959)	9
<i>Williams v. State</i> , 235 S.W.3d 742 (Tex. Crim. App. 2007)	6
<i>Williams v. State</i> , 696 S.W.2d 896 (Tex. Crim. App. 1985)	5
<i>Wilson v. State</i> , 139 S.W.3d 104 (Tex. App.—Texarkana 2004, pet. ref'd)	12

STATUTES

TEX. PENAL CODE ANN. § 1.07(a)(46)	5
--	---

TO THE HONORABLE COURT OF APPEALS:

STATEMENT OF THE CASE

Appellant was charged with the first-degree felony offense of aggravated assault of a family member resulting in serious bodily injury. (C.R. 8, 120-21). Following a jury trial, appellant was convicted of the charged offense. (C.R. 187-88). Appellant pleaded “true” to an enhancement allegation of a prior felony conviction for indecency with a child, and he was sentenced to thirty-five years of imprisonment at the Institutional Division of the Texas Department of Criminal Justice. (C.R. 187).

Appellant filed an appeal challenging the sufficiency of the evidence to show the complainant suffered serious bodily injury. The court of appeals issued a published opinion reversing the judgment of conviction and remanding the case to the trial court with instructions to reform the judgment to reflect a conviction for the offense of second-degree aggravated assault and to conduct a new hearing on punishment.

STATEMENT OF PROCEDURAL HISTORY

On August 10, 2021, a majority panel of the Fourteenth Court of Appeals issued a published opinion concluding that the evidence is insufficient to support the jury’s finding that the complainant suffered serious bodily injury, but sufficient to establish the elements of aggravated assault. The majority opinion reversed the judgment of conviction and remanded the case to the trial court to reform the judgment to reflect a conviction for second-degree aggravated assault. *See Garcia v. State*, 631 S.W.3d 875 (Tex.

App.—Houston [14th Dist.] 2021, pet. granted). A dissenting opinion was filed by Justice Poissant.

The State’s petition for discretionary review was granted on November 10, 2021.

GROUND FOR REVIEW

The Fourteenth Court of Appeals improperly acted as a “thirteenth juror” by re-evaluating the weight and credibility of the evidence showing that the complainant’s gunshot wounds constituted serious bodily injury.



ARGUMENT AND AUTHORITIES

In concluding that the evidence is insufficient to support the jury’s finding that the complainant suffered serious bodily injury, the panel majority improperly reevaluated the weight and credibility of the evidence and substituted its own judgment over the judgment of the factfinder.

I. Statement of Facts.

The evidence at trial established that the appellant came home early from work on May 25, 2016 to find his girlfriend, the complainant, smoking marijuana with another man. (III R.R. 23-24). The appellant immediately produced a .40-caliber handgun and shot the complainant through her right thigh. (III R.R. 27-28). The complainant attempted to escape, but the appellant cornered her in the kitchen and shot her a second time, at close range, through her right breast. (III R.R. 28, 33). Afterwards, the appellant fled from the apartment. (III R.R. 35).

The complainant testified that she was bleeding from her injuries, and she attempted to clean off the blood before driving herself to the hospital:

I grabbed myself, put myself under some water first, under the sink water, throwing water on me. And finally I got my keys, got my wallet, got my phone, got in the car, and I was thinking that I was gonna make it to the hospital but I knew I wasn't.

(III R.R. 33-34). She explained that she did not call 911 because she was in shock. (III R.R. 35).

The complainant testified that she was unable to drive even a block before she had to stop and ask a security officer for help. (III R.R. 36). She was bleeding profusely, and she doubted she could make it to the hospital without assistance. (III R.R. 36, 85). When EMS arrived to transport the complainant to the hospital, she lost consciousness and could not remember anything after entering the ambulance. (III R.R. 39-40). The complainant testified that she thought she was going to die. (III R.R. 40). Upon arrival at the hospital, she reported experiencing pain measuring as high as an eight out of ten on a scale of intensity. (VI R.R. SX 47 at p. 117).

The complainant's gunshot wounds were treated at the hospital by Dr. Jordan Smith. Medical records reflect that the complainant sustained multiple "deep" lacerations to her right thigh and breast. (VI R.R. SX 47 at p. 146). A laceration to the superior right breast measured one-and-a-half centimeters in length, a laceration to the lower right breast measured three centimeters in length, a laceration to the right anterior thigh measured four centimeters in length, and a laceration to the right lateral thigh

measured two centimeters in length. *Id.* at pp. 121, 146. The complainant's bleeding was controlled at the emergency room through the application of direct pressure. *Id.* at p. 121. The gunshots did not strike any of the complainant's vital organs, and she was treated and released from the hospital the same day, but twelve staples were needed to close the wounds. (IV R.R. 38, 41-42; VI R.R. SX 47 at pp. 121-22, 146). Dr. Smith testified that staples commonly leave scars, and the complainant confirmed at trial that she still bears scars on her breast and thigh. (III R.R. 40; IV R.R. 44).

Dr. Smith also testified that a gunshot wound can cause serious bodily injury or death, and opined that the complainant's wounds constituted serious bodily injury. (IV R.R. 39). He noted that the gunshot wounds were located in close proximity to the complainant's vital organs, including the blood vessels underneath the ribs and thorax, the lungs, the heart, the femur, and the femoral artery. (IV R.R. 39-40).

The complainant was released from the hospital several hours later with instructions to return in ten days to have the staples removed. (IV R.R. 42; VI R.R. SX 47 at pp. 146-47). A 1.6 centimeter bullet remained embedded in the complainant's right upper thigh along with scattered bullet fragments. (VI R.R. SX 47 at pp. 145-46).

II. *The majority panel improperly acted as a "thirteenth juror" by re-evaluating the weight and credibility of the evidence showing the complainant suffered serious bodily injury.*

The majority opinion fails to apply the correct standard of review in concluding that "the State failed to present evidence demonstrating that appellant caused complainant to 'suffer serious bodily injury.'" *Garcia*, 631 S.W.3d at 880. "Serious bodily

injury” is defined as “bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.” TEX. PENAL CODE ANN. § 1.07(a)(46). Whether an injury qualifies as “serious bodily injury” is determined on a case-by-case basis. *Eustis v. State*, 191 S.W.3d 879, 884 (Tex. App.—Houston [14th Dist.] 2006, pet. ref’d). Gunshot wounds do not constitute serious bodily injury per se. *Williams v. State*, 696 S.W.2d 896, 898 (Tex. Crim. App. 1985). The relevant inquiry is “the disfiguring and impairing quality of the bodily injury as it was inflicted.” *Blea v. State*, 483 S.W.3d 29, 34-35 (Tex. Crim. App. 2016). Serious bodily injury may be established without a physician’s testimony when the injury and its effects are obvious. *Id.* at 35.

When reviewing the sufficiency of the evidence, the court views the evidence in the light most favorable to the verdict to determine whether any rational trier of fact could have found the elements of the offense beyond a reasonable doubt. *Jackson v. Virginia*, 443 U.S. 307, 318-19 (1979). As the factfinder, the “jury is the sole judge of credibility and weight to be attached to the testimony of witnesses.” *Dobbs v. State*, 434 S.W.3d 166, 170 (Tex. Crim. App. 2014). The factfinder is “free to apply common sense, knowledge, and experience gained in the ordinary affairs of life in drawing reasonable inferences from the evidence.” *Eustis*, 191 S.W.3d at 884.

When the record supports conflicting inferences, the reviewing court should presume that the jury resolved the conflicts in favor of the verdict and defer to that determination. *Dobbs*, 434 S.W.3d at 170. Conflicts in the evidence do not warrant

reversal if there is enough credible testimony to support the conviction. *Losada v. State*, 721 S.W.2d 305, 309 (Tex. Crim. App. 1986). The reviewing court should not become a “thirteenth juror” by disregarding or re-evaluating the weight and credibility of the evidence. *Williams v. State*, 235 S.W.3d 742, 750 (Tex. Crim. App. 2007); *King v. State*, 29 S.W.3d 556, 562 (Tex. Crim. App. 2000).

In finding the evidence insufficient to show that the gunshot wounds to the complainant caused serious bodily injury, the panel majority re-evaluates the weight and credibility of the evidence and improperly substitutes its own judgment for that of the factfinder. Although the panel majority acknowledges that being shot twice with a .40 caliber handgun was “undoubtedly a traumatic experience” for the complainant, it concludes there was no evidence of serious bodily injury because the “shots did not knock appellant [sic] down, and she was immediately able to gather her things, walk to her car, and drive away.” *Garcia*, 631 S.W.3d at 880.¹

Rather than searching for deficiencies in the evidence, the majority panel should have viewed the evidence in the light most favorable to the verdict and inquired whether a rational trier of fact could have found beyond a reasonable doubt that the complainant suffered serious bodily injury. A rational factfinder could have reasonably inferred that the complainant attempted to drive herself to the hospital, not because her injuries were

¹ The record does not reflect precisely how long the complainant remained at the crime scene before attempting to drive herself to the hospital. The complainant testified that she tried to wash off the blood before “finally” grabbing her keys and departing for the hospital. (III R.R. 33-34).

trivial, but because she was in a state of shock. As the exclusive judge of the credibility of witnesses, the jury could also have believed the complainant's testimony that she initially thought she could make it to the hospital on her own, but quickly realized she needed assistance due to the seriousness of her injuries.

The evidence also showed that the complainant bled profusely at the scene, that she attempted to wash off the blood, that she continued to bleed in her car and during the transport via ambulance, and that the bleeding was eventually controlled at the hospital. (III R.R. 85; VI R.R. SX 7, 8, 9, 46 at p. 55, and SX 47 at pp. 146, 166). The majority opinion discounts this evidence because the record does not reflect the amount of blood lost. *See id.* However, the jury could have rationally concluded that the complainant lost a substantial amount of blood in light of evidence that she sustained multiple "deep" lacerations, and that she lost consciousness shortly after the shooting. (III R.R. 40; VI R.R. SX 46 at p. 146). The photographs of the crime scene also show a considerable amount of blood on the walls and floor of the complainant's apartment. *See* (VI R.R. SX 7, 8, 9).

The majority opinion also erroneously rejects the complainant's testimony that she "went out" after entering the ambulance because her testimony was contradicted by EMS records. *See Garcia*, 631 S.W.3d at 880. The majority relies upon an event report created by the Houston Fire Department which inaccurately describes the complainant as a "female shot in stomach," and notes that she was "conscience [sic] and alert" at the location. (VI R.R. SX 46 at pp. 58, 61). A separate EMS report indicates that the

complainant was rapidly assessed at the scene for multiple gunshot wounds, she was transported as a “priority 2” to the hospital for further evaluation, and her condition remained unchanged during transport. *Id.* at p. 52. A rational jury could have found that these reports did not negate the complainant’s testimony that she lost consciousness at some point after being loaded into the ambulance. By choosing to discredit the complainant’s testimony, the majority opinion erroneously disregards well-established precedent that it falls within the exclusive province of the jury to judge the credibility of the witnesses and to resolve conflicting inferences. *See Isassi v. State*, 330 S.W.3d 633, 638 (Tex. Crim. App. 2010); *Curry v. State*, 30 S.W.3d 394, 406 (Tex. Crim. App. 2000). Rather than re-evaluating the credibility of the evidence, the reviewing court should have instead considered whether the jury reached a rational decision. *See Muniz v. State*, 851 S.W.2d 238, 246 (Tex. Crim. App. 1993).

The panel majority also improperly re-evaluates the credibility of the complainant’s testimony that she believed she was going to die from her injuries. A victim is qualified to offer an opinion regarding the seriousness of her wounds. *See Hart v. State*, 581 S.W.2d 675, 677 (Tex. Crim. App. 1979); *Kerby v. State*, No. 14-10-00416-CR, 2011 WL 3667844, at *5-6 (Tex. App.—Houston [14th Dist.] Aug. 23, 2011, pet. ref’d) (not designated for publication). Here, the majority opinion discredits the complainant’s testimony that she thought she was going to die because she failed to clarify whether she was expressing a generalized fear of death or giving an assessment of her injuries. *Garcia*, 631 S.W.3d at 880. However, the complainant’s opinion was offered during a line

of inquiry regarding the extent of her injuries.² Given the context of the complainant's testimony, the jury could have logically inferred that she believed she was going to die as a result of the severity of her gunshot wounds.

Finally, the majority rejects the expert testimony of the complainant's treating physician that the gunshot wounds constituted serious bodily injury because he was not specifically questioned about the statutory criteria for serious bodily injury. *See Garcia*, 631 S.W.3d at 881. The majority further observes that although Dr. Smith testified that the complainant could have died if her vital organs had been struck by the bullets, there was no evidence that the complainant's vital organs were damaged. *Id.*

The testimony of a treating physician may suffice to establish that the victim suffered serious bodily injury. *See Pruneda v. State*, 168 Tex. Crim. 510, 329 S.W.2d 886, 887 (1959) (doctor's testimony that lacerations to the victim's head were "serious injury" was sufficient to show that serious bodily injury was inflicted). The preferred method for establishing serious bodily injury is through the testimony of a physician, but expert testimony is unnecessary where the injury and its effects are obvious. *Carter v. State*, 678 S.W.2d 155, 157 (Tex. App.—Beaumont 1984, no pet.).

In this case, Dr. Smith classified the complainant's gunshot wounds as "serious bodily injury," but did not define that term. Juries are permitted to draw reasonable

² The prosecutor questioned the complainant about the effects of the gunshots to her body, whether she had surgery, how long she remained at the hospital, whether her wounds were sutured, whether she bears scars from her injuries, and whether she thought she was going to die. *See* (III R.R. 39-40).

inferences from the facts as long as they are supported by the evidence, but juries may not draw conclusions based on speculation. *Hooper v. State*, 214 S.W.3d 9, 16 (Tex. Crim. App. 2007). Here, the jury could have reasonably inferred from Dr. Smith's testimony that the complainant's wounds met the statutory criteria for serious bodily injury because Dr. Smith provided the underlying rationale for his opinion. He testified that gunshot wounds, in general, can cause serious bodily injury or death, and that he considered the complainant's gunshot wounds to constitute serious bodily injury based on their proximity to her vital organs:

Q: And can a gunshot wound cause serious bodily injury?

A: Yes.

Q: Can a gunshot cause death?

A: Yes, it can.

Q: Based on the location of Ms. Melendez's gunshot wounds, would you consider that serious bodily injury?

A: Yes, I would.

Q: And can you explain to the jury what vital organs are close to where Ms. Melendez suffered the gunshot wound through her chest?

A: Through her chest, you know, just underneath her breast are ribs, obviously a lot of vessels right underneath the ribs as well as in her thorax, obviously her lungs and her heart. You know, my primary concern as an emergency physician would be did this hit her lung, causing a collapsed lung or bleeding in the thorax. Did this hit her heart or her major artery, her aorta or her vena cava. So those are our primary concerns at the outset.

Q: If one of those vital organs would have been hit, could she have died?

A: Yes.

Q: And can you explain to the jury what vital organs are close to the area where Ms. Melendez was shot in her thigh?

A: Sure. Her femur, the bone in the thigh; as well as major arteries and veins, the femoral artery and femoral vein; as well as nerves that go down.

Q: And if one of those vital organs was hit, could she have suffered death?

A: Yes.

Q: Approximately how many gunshot wounds would you say you've treated over the years of you being a doctor?

A: Hundreds.

Q: And out of those hundreds, have you seen death occur?

A: Yes.

Q: Have you seen deaths occur from being shot in the thigh area?

A: Not that I remember specifically.

Q: Have you seen deaths occur from being shot in the chest area?

A: Yes.

Q: Multiple?

A: Yes.

(IV R.R. 39-41).

The fact that Dr. Smith opined that the complainant's injuries "could" have caused her death if her vital organs had been struck does not render his testimony speculative. *See, e.g., Wilson v. State*, 139 S.W.3d 104, 106-07 (Tex. App.—Texarkana 2004, pet. ref'd) (physician's testimony that the victim's stab wounds *could* cause a substantial risk of death did not render the evidence of serious bodily injury insufficient where physician explained that the wounds were located in areas of significant vital function, and that if the victim's vital organs had sustained significant injury, it would create a potentially life-threatening injury); *see also Johnson v. State*, No. 07-02-0440-CR, 2003 WL 22332274, at *1 (Tex. App.—Amarillo Oct. 13, 2003, no pet.) (not designated for publication) (doctor's testimony that the complainant's injuries "could" have constituted serious bodily injury and "could" have been considered life threatening did not render his testimony hypothetical or speculative where he also agreed that the injuries "would" create a substantial risk of death).

Here, Dr. Smith agreed that the complainant's injuries constituted serious bodily injury. And although Dr. Smith was not questioned specifically about the statutory criteria for serious bodily injury, the jury could have reasonably concluded from the aforementioned testimony that the complainant's gunshot wounds were potentially life-threatening, and that they constituted "serious bodily injury" as that term was defined in the charge.

Even without Dr. Smith's testimony, the jury could have used common sense to logically deduce that the gunshot wound directly to the complainant's chest created a high risk of death due to its proximity to her heart and lungs. The jury also could have reasonably inferred that the gunshot wounds posed a substantial risk of death if the complainant had not received medical treatment because they caused "deep" lacerations which required twelve staples to close. *See Blea*, 483 S.W.3d at 32 (the reviewing court should "consider the risk of death as inflicted by a defendant without modification by the additional consideration of the effects of medical treatment").

The majority errs by using a "divide-and-conquer" approach to identify the perceived weakness of certain pieces of evidence, rather than considering the cumulative force of the evidence in its totality and viewing that evidence in the light most favorable to the verdict. *See Merritt v. State*, 368 S.W.3d 516, 526 (Tex. Crim. App. 2012). The dissenting opinion, on the other hand, correctly applies a deferential standard of review, and observes that a rational jury could have concluded that the complainant's wounds constituted serious bodily injury in light of the combined force of the evidence that:

- (1) the Complainant suffered four wide and deep wounds from two bullets that passed through her breast and her thigh;
- (2) the Complainant was bleeding, in shock, thought she was going to die, and had "gone out" before arriving at the hospital;
- (3) Dr. Smith, an emergency room physician specialist, had to close the wounds with twelve staples that could not be removed for ten days;

- (4) Dr. Smith, a specialist in emergency medicine, testified based upon the location of the gunshot wound, he considered the wound as “serious bodily injury”; and
- (5) Dr. Smith had seen multiple deaths occur from gunshots in the chest area and that the location of either gunshot wound could have caused the Complainant’s death.

Garcia, 631 S.W.3d at 883 (Poissant, J., dissenting).

Viewing the aforementioned evidence in the light most favorable to the verdict, any rational trier of fact could have found beyond a reasonable doubt that the gunshot wounds suffered by the complainant constituted serious bodily injury.

◆

PRAYER FOR RELIEF

The State prays that this Court reverse the judgment of the Fourteenth Court of Appeals and remand this cause for the lower court to address Appellant’s remaining point of error.

KIM K. OGG
District Attorney
Harris County, Texas

/s/ Heather A. Hudson
HEATHER A. HUDSON
Assistant District Attorney
Harris County, Texas
1201 Franklin, Suite 600
Houston, Texas 77002
(713) 274-5826
State Bar No. 24058991
hudson_heather@dao.hctx.net

CERTIFICATE OF COMPLIANCE

The undersigned attorney certifies in compliance with Texas Rule of Appellate Procedure 9.4(i)(3) that the foregoing Brief for Discretionary Review contains 3,442 words, as represented by the word-processing program used to create the document. This document complies with the typeface requirements in Rule 9.4(e), as it is printed in a conventional 14-point typeface with footnotes in a 12-point typeface.

/s/ Heather A. Hudson
HEATHER A. HUDSON
Assistant District Attorney
Harris County, Texas
1201 Franklin, Suite 600
Houston, Texas 77002
(713) 274-5826
State Bar No. 24058991

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing instrument has been submitted for service by e-filing to the following address:

Sharon Slopis
P.O. Box 66710
Houston, Texas 77266
Tel: (713) 529-0771
Fax: (713) 529-3602
seslopis@yahoo.com

Stacey M. Soule
State Prosecuting Attorney
Austin, Texas
(512) 463-1660
stacey.soule@spa.state.tx.us

/s/ Heather A. Hudson
HEATHER A. HUDSON
Assistant District Attorney
Harris County, Texas
1201 Franklin, Suite 600
Houston, Texas 77002
(713) 274-5826
State Bar No. 24058991

Date: 12/10/2021

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Heather Hudson
Bar No. 24058991
hudson_heather@dao.hctx.net
Envelope ID: 59926795
Status as of 12/14/2021 10:11 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Stacey M.Soule		stacey.soule@spa.state.tx.us	12/10/2021 3:51:41 PM	SENT

Associated Case Party: Vital Garcia

Name	BarNumber	Email	TimestampSubmitted	Status
Sharon Slopis		seslopis@yahoo.com	12/10/2021 3:51:41 PM	SENT